



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2405

AUG 30 1991

Ref: 8HWM-FF

Mr. David Simonson
Department of Energy
Rocky Flats Office
P.O. Box 928
Golden, CO 80402-0928



re: Woman Creek IM/IRA

Dear Mr. Simonson:

EPA and CDH have reviewed the most recent proposed schedule for the Woman Creek IM/IRA submitted with your letter of August 7, 1991 (91-DOE-6376). We are very disappointed to see that you were unable to find a way of meeting the end date we requested in our previous correspondence. However, recognizing that further negotiations on this issue could only be counter-productive by delaying action further, we hereby accept the schedule as submitted (copy attached). The milestones you proposed for addition to IAG Table 6 will henceforth be considered valid and subject to all appropriate enforcement actions under the terms of our agreement.

Please note that at a meeting held at EPA's offices on July 24 1991, representatives of your staff and contractors presented EPA with a rationale they felt justified cancellation of the Woman Creek IM/IRA. This argument was based on the assertion that there is no significant threat to public health, nor documented evidence of environmental degradation. EPA and CDH strongly disagree with this position. The presentation made to support a "no action" decision presented no new data, employed an incomplete analysis of existing data, utilized inappropriate risk assessment assumptions, and applied an unreasonably narrow definition of environmental degradation.

It is EPA and CDH's position that the opportunity to abate the spread of contamination and thereby facilitate and possibly simplify a final action is sufficient justification for an expedited response. We intend to see an appropriate Woman Creek IM/IRA completed in a reasonable amount of time. The plan to be submitted October 2, 1991, must evaluate available alternatives and identify a recommended action to abate the spread of contamination by evaluating, controlling, and providing appropriate treatment and disposal for the flows from (at a minimum) seeps 53 and 55.

ADMIN RECORD

A-DU02-000132

It should also be noted that DOE made a firm commitment to complete an action on the Woman Creek seeps in the Walnut Creek IM/IRA responsiveness summary. We submit that this commitment must be honored. If you have questions or would like to discuss the progress of this effort, please contact Bill Fraser (EPA) at 294-1081 and/or Joe Schieffelin (CDH) at 331-4421.

Sincerely,

Martin Hestmark

Martin Hestmark, EPA
Manager
Rocky Flats Project

Gary W. Baughman

Gary Baughman, CDH
Unit Leader
Hazardous Waste Facilities

Attachment

cc: Barbara Barry, CDH
Scott Grace, DOE
Tom Greengard, EG&G

AUGUST 1991

PROPOSED OU2 WOMAN CREEK BASIN IM/IRAP SCHEDULE

| Duration | Start | Finish | Activity No. | Activity |
|----------|-----------|-----------|--------------|---|
| 85 | 03JUN91 | 01OCT91 | A1 | DOE Prepare Draft IM/IRAP/EA (includes 20 HQ Review/Approval) |
| 0 | | 20OCT91 | A3** | SUBMIT DRAFT IM/IRAP/EA TO EPA/CDH |
| 5 | 03OCT91 | 9OCT91 | A4 | EPA/CDH Review IM/IRAP/EA |
| 10 | 03OCT91 | 16OCT91 | 4B | CDH Review & Comment on EA |
| 3 | 10OCT91 | 14OCT91 | A5 | Modify, Print & Distribute Document |
| 40 | 15OCT91 | 09DEC91 | A6 | Public Comment Period on IM/IRAP/EA (includes Federal Register Notice and two week Public Comment on the Wetlands Action) |
| 20 (29) | 10DEC91 | 13JAN92 | A7 | DOE Prepares Responsiveness Summary |
| 0 | | 14JAN92 | A8** | SUBMIT RESPONSIVENESS SUMMARY TO EPA/CDH |
| | | (14JAN92) | A8B | (Submit R.S. to DOE HQ for review of R.S./FONSI) |
| 5 | 15JAN 92 | 21JAN92 | A9 | EPA/CDH Review Responsiveness Summary |
| 20 | 22JAN92 | 18FEB | A10 | Resolve Comments & Finalize R.S. & IM/IRAP/EA |
| 10 | 19FEB92 | 04MAR92 | A11 | Modify, Print, & Distribute R.S. & IM/IRAP/EA |
| 0 | | 05MAR92 | A12** | SUBMIT FINAL R.S. & IM/IRAP/EA DECISION DOCUMENT TO EPA/CDH |
| 10 | 06MAR92 | 19MAR92 | A12B | EPA/CDH Approve R.S. & IM/IRAP/EA |
| (47) | (14JAN92) | 19MAR92 | A14 | DOE HQ Approves IM/IRAP/EA & FONSI |
| 5 | 20MAR92 | 26MAR92 | A15 | Modify, Print, & Distribute R.S. & IM/IRAP/EA |
| 10 | 27MAR92 | 09APR92 | A16 | Release R.S. & IM/IRAP/EA to Public & 2 Week availability |
| 71 | 20MAR92 | 29JUN92 | B10-B13 | Title II Design, Materials Procurement, Mobilization |
| 45 | 30JUN92 | 07SEP92 | B14 | Start Collection System and Treatment System Construction Complete |
| 0 | | 08SEP92 | B16** | CONSTRUCTION COMPLETE/TREATMENT SYSTEM STARTUP |

** and BOLDER TEXT Denotes Proposed

Agreement Milestones to be added to Statement of Work Table 6.